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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
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12 RIMANPREET UPPAL, an Individual,
13 Individually and on behalf of all others
similarly situated and the general public,,
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Plaintiff,

15 v.

16 CVS PHARMACY, INC., a Rhode Island
corporation; CVS RX SERVICES, INC., a
17 New York corporation; GARFIELD BEACH
CVS, LLC, a California limited liability
18 company; and DOES 1 thru 50, inclusive,
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Defendants.
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Case No. 3:14-cv-02629-VC

Hon. Vince Chhabria

**STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE AND
RELATED DEADLINES, AND TO
STAY PLAINTIFF'S MOTION TO
REMAND AND DEFENDANTS' TIME
TO RESPOND** AS MODIFIED

STIPULATION

WHEREAS, counsel for Plaintiff Rimanpreet Uppal also represents the named plaintiffs in four other separate, but related class action cases: *Sharobiem v. CVS Pharmacy, Inc.*, Case No. CV 13-9426-GHK; *Bystrom v. CVS Pharmacy, Inc.*, Case No. CV 13-09424-GHK; *Paksy v. CVS Pharmacy, Inc.*, Case No. CV 13-09425-GHK; and *Connell v. CVS Pharmacy, Inc.*, No. CV 13-09410-GHK.

WHEREAS, pursuant to the stipulation of the Parties, the Court previously stayed Plaintiff's pending Motion to Remand and Defendants' time to respond to said motion in this matter.

WHEREAS, the Parties have agreed to a mediation of this matter and other related cases, including *Sharobiem v. CVS Pharmacy, Inc.*, Case No. CV 13-9426-GHK; *Bystrom v. CVS Pharmacy, Inc.*, Case No. CV 13-09424-GHK; *Paksy v. CVS Pharmacy, Inc.*, Case No. CV 13-09425-GHK; and *Connell v. CVS Pharmacy, Inc.*, No. CV 13-09410-GHK, which has been scheduled for November 14, 2014 in San Francisco with mediator Mark S. Rudy, Esq.

WHEREAS, the Ninth Circuit has not yet rendered a decision regarding Defendants' petition for permission to appeal the Central District's orders granting remand in *Connell*, *Bystrom*, and *Paksy*.

WHEREAS, the Parties seek to seek to resolve the issue of this case's removal efficiently and without unnecessary expenditure of the Court's resources.

THEREFORE, IT IS HEREBY STIPULATED, by the Parties and their respective counsel of record:

That the Initial Case Management Conference presently set for September 16, 2014 at 10:00 a.m. be continued to a date sixty days after the November 14, 2014, and that all corresponding deadlines provided by the Federal Rules of Civil Procedure, the Civil Local Rules of the United States District Court for the Northern District of California, and the Court's Order Setting Initial Case Management Conference (Dkt. No. 7) be continued accordingly;

That Plaintiff's motion to remand, and Defendants' corresponding time to oppose

1 Plaintiff's motion, be stayed for sixty days after the November 14, 2014 mediation in this matter;
2 That this Stipulation be accepted as the Parties' further status report contemplated by the
3 Parties previous stipulation and the Court's order thereon.

4 IT IS SO STIPULATED.

5 Dated: September 8, 2014

TIMOTHY J. LONG
MICHAEL D. WEIL
ORRICK, HERRINGTON & SUTCLIFFE LLP

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8 By: /s/ Michael D. Weil
MICHAEL D. WEIL

9 Attorney for Defendants
10 CVS PHARMACY, INC., CVS RX
11 SERVICES, INC., and GARFIELD BEACH
CVS, LLC

12 Dated: September 8, 2014

V. JAMES DESIMONE
MICHAEL D. SEPLOW
SCHONBRUM DESIMONE SEPLOW HARRIS
& HOFFMAN LLP

15 By: /s/ Michael D. Seplow
16 MICHAEL D. SEPLOW

17 Attorney for Plaintiff
18 RIMANPREET UPPAL

ATTESTATION

I hereby attest that the concurrence in the filing of this document has been obtained from
Michael D. Weil, of Orrick, Herrington & Sutcliffe LLP, Attorneys for Defendants.

Dated: September 8, 2014

SCHONBRUN, DESIMONE, SELOW,
HARRIS & HOFFMAN LLP

By: / s/ Michael D. Seplow
MICHAEL D. SELOW

Attorney for Plaintiff
RIMANPREET UPPAL

[~~PROPOSED~~] ORDER AS MODIFIED

The case management conference is rescheduled to January 13, 2015, at 10:00 a.m. A joint case management conference statement is due no later than January 6, 2015.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATE: ____September 10, 2014____



Hon. Vince Chhabria